

STATE OF CALIFORNIA

DEPARTMENT OF PESTICIDE REGULATION (DPR)

PESTICIDE EPISODE CLOSING REPORT

PR-ENF-055 (REV. 5/00)

Updates IO12952-001

PRIORITY INVESTIGATION NO.	INCIDENT DATE	TRANSMITTAL DATE	CLOSING REPORT DATE	SUPPLEMENTAL REPORT ATTACHED	
37-SD-02	6/14/02	6/14/02	11/12/03	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
NAME OF PESTICIDE			U.S. EPA OR STATE REGISTRATION NO.	SIGNAL WORD	
Vikane			62719-4	Danger	

INVESTIGATION SUMMARY:

On June 14, 2002, a Branch 1 Field Representative licensee from D & S Termite commenced aeration at 1:05 p.m. on a house that had been fumigated with Vikane gas (EPA Registration No. 62719-4) and chloropicrin warning agent the previous day. At approximately 2:15 p.m., when another employee from D & S Termite entered the structure after the first hour of the aeration phase to close the operable windows and doors, he found the dead body of an unknown male inside the structure. The victim apparently had crawled under the tarp and removed a screen on a back window to gain access to the structure. D & S called the San Diego County Agricultural Commissioner's Office (SD CAC) and the San Diego Police Department at approximately 3:00 p.m. on June 14th to report the incident.

SD CAC investigated the incident. The same Branch 1 licensee and four (4) crew members were at the site on both June 13 and June 14, and they recalled seeing a man walking around near the house on June 13 that resembled the victim.

SECTION(S) VIOLATED:

None

CONSIDERATIONS:

GROUND WATER	YES <input type="checkbox"/>	NO <input type="checkbox"/>	NA <input checked="" type="checkbox"/>
WORKER HEALTH AND SAFETY	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NA <input type="checkbox"/>
ENDANGERED SPECIES	YES <input type="checkbox"/>	NO <input type="checkbox"/>	NA <input checked="" type="checkbox"/>
PRODUCT REGISTRATION	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NA <input type="checkbox"/>
CANCELLED/SUSPENDED PESTICIDE	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NA <input type="checkbox"/>

ENFORCEMENT ACTION TAKEN:

☒ NONE ☐ COMPLIANCE ACTION ☐ ADMINISTRATIVE CIVIL PENALTY ☐ EPA ACTION REQUESTED ☐ OTHER

DPR ROUTING:

AGENCY NOTIFICATION	DATE REPORT SENT
U.S. EPA: Ms. Laurie Amaro	11/14/03
CAC: Ms. Kathleen Thuner	11/14/03
DIR: Mr. Rop Repke	11/14/03
DHS: Dr. Rupali Das	11/14/03
OENHA: Dr. William Ngai	11/14/03
OTHER: Ms. Kelli Okuma (SPCB)	11/14/03

(PLEASE PRINT ON LINES BELOW)

REPORT PREPARED BY: Peggy Byerly, Senior Pesticide Use Specialist

DATE: 11/12/03

REPORT REVIEWED BY:

Jahan Motakef

DATE: 11/14/03

DPR REGIONAL OFFICE SUPERVISOR'S SIGNATURE: Jahan Motakef

Jahan Motakef

PHONE NO.: (714) 279-7690

DATE: 11/14/03

STATE OF CALIFORNIA
DEPARTMENT OF PESTICIDE REGULATION (DPR)

PESTICIDE EPISODE CLOSING REPORT-SUPPLEMENTAL

PR-ENF-056 (EST. 3/00)

PRIORITY INVESTIGATION NO.	INCIDENT DATE	TRANSMITTAL DATE	CLOSING REPORT DATE
37-SD-02	6/14/02	6/14/02	11/12/03

INVESTIGATION SUMMARY (CONTINUED):

The licensee told SD CAC that the man had a bottle in his pocket and appeared to be intoxicated. The eldest brother of the victim told SD Police that the victim had been in treatment with the San Diego County Mental Health Hospital due to chronic alcoholism.

On June 13 the operable windows were slightly opened in accordance with Vikane label instructions. The fumigation log and statements from the licensee showed that the house was 27,260 cubic feet, and that 2.0 ounces of chloropicrin warning agent had been used. SD CAC reviewed the Vikane label and determined that this amount of chloropicrin fell within the label specifications for proper dosage as a fumigation warning agent (1 fluid ounce per every 10,000 - 15,000 cubic feet of space").

SD Police interviewed local witnesses who confirmed that the victim had been seen walking in the neighborhood during the afternoon of June 13th. The owner of the property, who was the brother of the victim, visited the house at 7:30 p.m. on June 13 and said during his interview with SD Police Department that at that time "everything was locked up tight".

The Branch 1 licensee and four (4) crew members told SD CAC during their interviews that no secondary locks had been removed and no doors appeared to have been forced open. When the tarps were dropped on June 14 to commence aeration, the licensee saw that a window screen had been removed from a window at the rear of the structure. The victim was found in the hallway in front of the furnace. According to the SD Police report, the rear window screen that was removed was from the victim's bedroom window.

The autopsy report tested positive for alcohol and fluoride. The cause of death was stated as "acute sulfuryl fluoride toxicity due to accidental exposure".

SD CAC determined that D&S Termite Control did not violate any laws or regulations. No enforcement action was taken.

(PLEASE PRINT ON LINES BELOW)

REPORT PREPARED BY: Ms. Peggy Byerly

DATE: 11/12/03

REPORT REVIEWED BY: Mr. Jahan Motakef

DATE: 11/14/03

DPR REGIONAL OFFICE SUPERVISOR'S SIGNATURE: Mr. Jahan Motakef

DATE: 11/14/03

86